REMARKS/ARGUMENTS

Claim 7 has been rewritten in independent form. Support for the amendment to Claim 7 can be found in Claim 1. Claims 8-17 are unchanged, and therefore depend from Claim 7. Claim 18 has also been rewritten in independent form. Support for the amendment to Claim 18 can also be found in Claim 1. Claim 19 is unchanged, and therefore depends from Claim 18.

In the Office Action dated May 3, 2007, the Examiner stated "Claims 7-21 are allowed." See the middle of page 8 of the Office Action. However, the Examiner also stated in the middle of page 3 of the Office Action that Claims 3-21 were rejected under 35 USC §101. As Claims 7-21 are included within Claims 3-21, it appears that Claims 7-21 are being rejected on page 3 of the Office Action, but at the same time these claims are stated to be allowed in the same Office Action on page 8. This inconsistency in the Office Action makes it difficult to submit a suitable response, and accordingly the Examiner is requested to make the next Office Action non-final so that Applicants can respond appropriately.

Regarding whether Claims 7-17 are directed to non-statutory subject matter, note that Claim 7 has been amended to require a computer. Claim 7 now requires a row to be inserted into a table in memory. Support for these changes can be found throughout the application, including, for example, page 45 at lines 14-24 and page 49 at lines 12-27. Accordingly, the state of a memory is changed by performing the method of Claim 7. Specifically, Claim 7's each of "inserting" provides a transformation of an article, namely the memory, to a different state. Transformation of a memory indicates that Claim 7 is patentable.

In this context, the Examiner's attention is drawn to the Examiner guidelines in a section entitled "Practical Application by Physical Transformation", MPEP IV(C)(2)(1) which state in pertinent part "USPTO personnel first shall review the claim and determine if it provides a transformation or reduction of an article to a different state or thing. If USPTO personnel find such a transformation or reduction, USPTO personnel shall end the inquiry and find that the claim meets the statutory requirement of 35 U.S.C. 101."

Even if Claim 7's memory being changed is assumed to fail the above-described test, Applicants respectfully submit that Claim 7 does meet each of the following three prongs: useful, concrete and tangible, for the following reasons. Specifically, Claim 7's memory contains one or more tables, which are "useful," because the table(s) can be retrieved therefrom. Moreover, Claim 7's memory is "tangible" because it is a real world device which is not "abstract", i.e. it is not a law of nature or a mathematical formula. Finally, Claim 7's memory is itself a concrete result, because it can be used to supply the table(s). Moreover, Claim 7's act(s) of inserting can be performed repeatedly, which is another indication that Claim 7's method provides a concrete result.

For the above-discussed reasons, Applicants submit that Claim 7 is now in form for allowance and a clear indication of allowance is respectfully requested in the next Office Action. Claims 8-17 are believed to be allowable for the same reasons as Claim 7 due to dependency therefrom.

Claims 1, 2 and 18 are also amended to require a computer and a memory. Additionally, Claims 6 and 21 were already reciting a computer and they have been amended to further require a memory. Accordingly, these claims are also believed to be directed to statutory subject matter under 35 USC §101 for reasons similar to those discussed above in reference to Claim 7. Hence, the Examiner is also requested to withdraw the §101 rejection of Claims 1-6, 18, 19 and 21.

Claims 4, 18 and 19 were further rejected under 35 USC §101 in the middle of page 2 of the Office Action. The Examiner stated that the "computer-readable storage medium" as defined in the Specification at page 50, line 28 to page 51, line 3 includes a carrier wave. This rejection is respectfully traversed at least because the Examiner-cited text of the specification refers to "**computer-readable media**" (emphasis added), which does not use the word "**storage**":

> Common forms of computer-readable media include, for example, a floppy disk, a flexible disk, hard disk, magnetic tape, or any other magnetic medium, a CD-ROM, any other optical medium, punchcards, papertape, any other physical medium with patterns of holes, a RAM, a PROM, and EPROM, a FLASH-EPROM, any other memory chip or cartridge, a carrier wave as described hereinafter, or any other medium from which a computer can read.

Hence, the Examiner's evidence is defective, i.e. it does not show that Applicants intended "computer-readable **storage medium**" (emphasis added) to cover energy. Nonetheless, to expedite prosecution, Applicants have now amended these claims to use the term "storage device." For support, see Applicants' page 49 lines 25-26. Hence, Applicants respectfully request the Examiner to withdraw the §101 rejections of Claims 4, 18 and 19.

Claim 3 was rejected as being anticipated by US Patent 6,868,425 granted to Bergstraesser. This rejection is respectfully traversed. The Examiner explained towards the bottom of page 6 of the Office Action that Bergstraesser discloses in FIG. 9, Claim 3's design time configuration is formed by subsets of objects in WORKSPACE 1 and 2. Accordingly, it appears that the Examiner is analogizing a single "configuration" of Claim 3 to **two** workspaces of Bergstraesser. Since each workspace of Bergstraesser can hold different version of a single object, it is possible for Bergstraesser's two versions of a single object to belong to a single configuration via Bergstraesser's **two** workspaces. This contradicts another limitation in Claim 3, namely that each configuration contain no more than one version of an object.

Furthermore, the Examiner has failed to show where does Bergstraesser disclose associating the design time configuration with each of a plurality of persons involved in **designing the repository**. This is a prima facie defect in the Office Action, which should therefore be withdrawn. Moreover, Applicants submit that Bergstraesser fails to recognize any special need of designers and hence fails to address this issue entirely.

Additionally, the Examiner's citation to Bergstraesser's column 16, lines 5-15 merely discloses as follows:

> An object (i.e., version) in a workspace can be updated only after it is checked out. It can be checked out to at most one workspace at a time. The checkout/checkin methods amount to long-term locks that are stored in the repository database and are used to implement long transactions. A typical long transaction would add some versions to a workspace, check out the ones to modify, perform updates (under short transaction control), check them back in, and optionally freeze them. This has the benefit of controlling and managing changes to objects in the repository.

The above-quoted text describes how a single object is to be checked out, namely to at most one workspace. Nothing in the above-quoted text discloses that a single configuration (called "run time" in Claim 3) is associated with multiple software application programs that use the repository during live operation.

For the above-discussed reasons, Claim 3 is believed to be patentable over Bergstraesser.

Claim 2 was rejected over the combined teachings of Bergstraesser and US Patent 6,460,052 granted to Thomas. This rejection is also respectfully traversed. The Examiner explained towards the bottom of page 7 of the Office Action that Bergstraesser does not disclose Claim 2's limitations. At the top of page 8, the Examiner cited to Thomas' Col 9 lines 59-65 against Claim 2's limitation on "retrieving." However, in the Examiner-cited text, Thomas merely states that "the version control mechanism determines the user's working context" without stating explicitly, how the determination is done. Accordingly, the Examiner has failed to show that Thomas teaches that the configuration identity "is retrieved ***directly*** from the workspace" (emphasis added) as per Claim 2.

The Examiner's citation to column 10 at lines 3-5 of Thomas is also traversed for failing to disclose Claim 2's limitation on presenting the response "***without exposing*** any information related to versioning" (emphasis added).

Applicants also respectfully traverse the Examiner's motivation for using Thomas teachings to modify Bergstraesser as being inadequate to support their combination. Specifically, tracking of object versions can be done in Bergstraesser's system, without any need to use the Examiner-cited teachings from Thomas.

For the above-discussed reasons, Claim 2 is believed to be patentable over Bergstraesser.

Finally, Claim 1's rejection over Bergstraesser is also respectfully traversed herewith. Specifically Bergstraesser does not teach that each ***configuration*** contains no more than one version of an object as recited in Claim 1. Instead, Bergstraesser merely teaches in column 15, lines 33-35 that a ***workspace*** is a single-version view of a subset of the repository database. Bergstraesser's workspace is different from the configuration of Claim 1, at least because Claim 1 also requires a workspace. Specifically, Claim 1 requires the workspace to be something from which a query can be issued. Bergstraesser

teaches in FIG. 9 that his workspace is within a data storage system 250 which also contains the repository.

For the above-discussed reasons, Claim 1 is also believed to be patentable over Bergstraesser.

Accordingly, Applicants respectfully request allowance of all pending claims. If there are any questions, please call the undersigned at 408/982-8203.

Respectfully submitted,

Omkar K. Suryadevara
Attorney for Applicant(s)
Reg. No. 36,320